

June 21, 2011

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

David N. Chandler, Sr. SBN 60780
David N. Chandler, Jr. SBN 235427

DAVID N. CHANDLER, p.c.
1747 Fourth Street
Santa Rosa, CA 95404
Telephone: (707) 528-4331

Attorneys for Debtors

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: CASE No. 10-12656

JOHN HOWARD BOARDMAN, and CHAPTER 13
JOHANNA LEA BOARDMAN,

DEBTORS. / ORDER CONFIRMING PLAN

The above captioned matter having regularly come on for final hearing on confirmation of the Debtors' Third Amended Chapter 13 Plan on June 8, 2011 before the above entitled Court, David N. Chandler appearing for the Debtors, Lilian Tsang appearing for David Burchard, Chapter 13 Trustee, and Cassandra J. Richey appearing for U.S. Bank, objecting creditor, and the matter having been argued and submitted, and cause appearing,

IT IS HEREBY ORDERED as follows:

1. That the Third Amended Plan filed April 6, 2011 is confirmed.

2. The payment as provided in paragraph 6 of the Plan to U.S. Bank may be paid by the Debtors direct to U.S. Bank and not through the Chapter 13 Trustee pursuant to stipulation of the Trustee and U.S. Bank.

3. That upon funding of the loan as provided in paragraph 6 of the Plan, U.S. Bank will have one of the following three options:

a. Debtors shall pay all payments due under the Plan

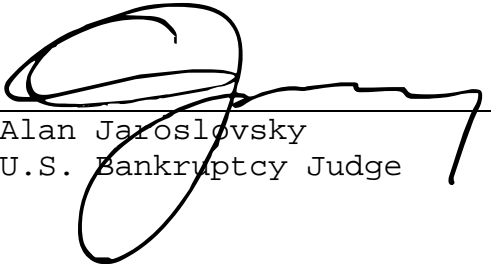
1 forthwith;

2 b. Shasta Boardman, the proposed lender, shall, in the
3 event of dismissal or conversion of the case, restore U.S. Bank to
4 its present and senior position against the property and U.S. Bank
5 shall refund to Shasta Boardman the sums paid together with interest
6 at a reasonable rate; or

7 c. Shasta Boardman, the proposed lender, shall, not
8 enforce the lien of the new Deed of Trust against the subject
9 property until a discharge is entered. In the event, the case is
10 dismissed or converted, the lien of Shasta Boardman cannot be
11 foreclosed upon.

12 4. U.S. Bank shall have 10 days from June 8, 2011 to make its
13 election. In the event that U.S. Bank fails to make an election,
14 the Debtor may elect either 3b. or 3c. and such election by Debtor
15 shall, in said event, be binding on U.S. Bank.

16 Dated: June 21, 2011

17
18 
19 Alan Jaroslovsky
20 U.S. Bankruptcy Judge
21

22 Approved:

23
24 /s/ Lilian Tsang
25 Lilian Tsang
26 Attorney for David Burchard
27 Chapter 13 Trustee
28